

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEATTLE SCHOOL DISTRICT NO. 1,

Plaintiff,

v.

KURT BENSHOOF ,

Defendant.

KURT BENSHOOF and A.R.W., by and through KURT BENSHOOF,

Counter-Claimants,

v.

SEATTLE SCHOOL DISTRICT NO. 1,
NATHAN CLIBER, SARAH
SPIERLING MACK, GREGORY
NARVER, JESSICA OWEN, and
BLAIR RUSS,

Counter-Defendants.

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

THE COURT HAS ORDERED THAT

The District's complaint is DISMISSED for lack of subject matter jurisdiction.

Dkt. Nos. 1, 3.

The Court DENIES as moot Benshoof's Motion to Dismiss, the District's Motion for Summary Judgment, and the District's Motion for Extension of Time for Service and for Costs. Dkt. Nos. 7, 29, 52.

The Court GRANTS in part Defendants' motions to dismiss, Dkt. Nos. 36 and 38, and DISMISSES all of Benshoof's federal counterclaims with prejudice and all of Benshoof's state counterclaims without prejudice. To the extent Benshoof attempts to bring claims on behalf of his son in contravention of *Johns*, those claims (i.e., A.R.W.'s claims) are dismissed without prejudice. *Johns*, 114 F.3d at 877.

The Court DENIES as moot Narver and Mack's motion to dismiss, Dkt. No. 24, and Benshoof's motion for default against Owen, Dkt. No. 42.

The Court DIRECTS the Clerk to close the case.

Dated July 19, 2024.

Ravi Subramanian
Clerk of Court

/s/ Kathleen Albert
Deputy Clerk